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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,061	04/26/2006	Thomas Roiser	4301-1147	4268

466 7590 03/08/2007  
YOUNG & THOMPSON  
745 SOUTH 23RD STREET  
2ND FLOOR  
ARLINGTON, VA 22202

EXAMINER
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AMIRI, NAHID

ART UNIT	PAPER NUMBER
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3679

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/08/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No:

10/553,061

Applicant(s)

ROISER, THOMAS

Examiner

Nahid Amiri

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 Decmeber 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 13-15 and 17-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-15 and 17-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### **Response to Amendment**

In view of Applicant's Amendment received 26 October 2006, amendments to the claims have been entered. Claims 1-12 and 16 are canceled. Claims 13-15 and 17-26 are pending.

### ***Claim Objections***

Claims 21 and 24 are objected to because of the following informalities:

Claims 22 and 24, line 1, "The combination" should be changed to --In combination--.

Claim 24, line 2, "and the tube" should be changed to --with an inner tube--; and "the another tube" should be changed to --an outer tube--.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

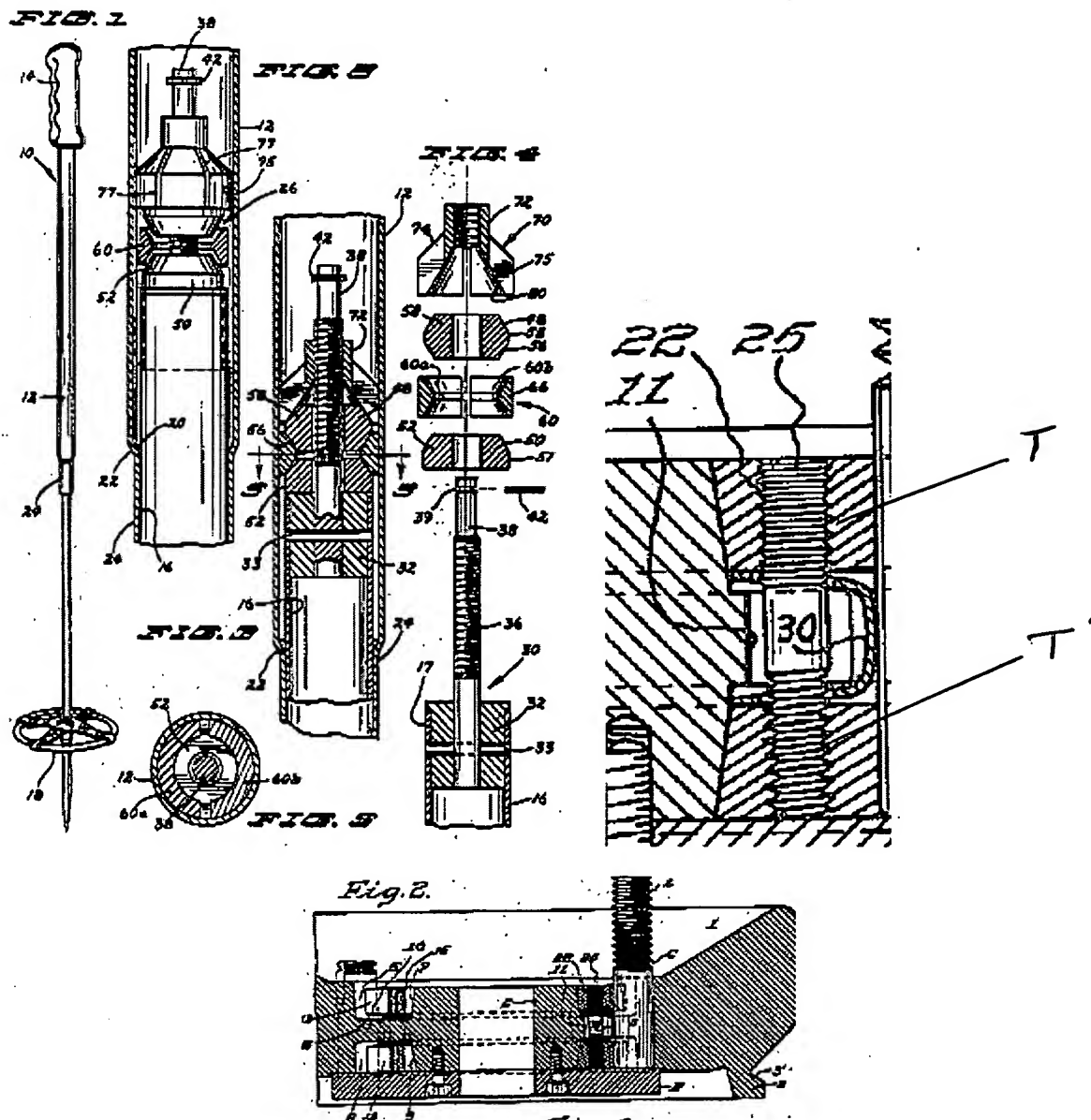
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 13, 14, 18, 19, and 22-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 4,134,703 Hinnert in view of US Patent No. 2,064,304 Hall.**

With respect to claims 13, 14, 18, and 23, Hinnert discloses a clamping device (Figs. 1-4) for telescoping tubes (12, 16), a threaded part comprising a threaded rod (36) configured for attachment to an inner tube (16) of a set of telescoping tubes (12, 16), a radially expandable

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clamping part (60) which is hollow cylinder has a continuous lengthwise slot, two conical expansion bodies (50, 70) located at respective ones of two opposite ends of the clamping part (60); the expansion bodies (50, 70) are each threaded onto the threaded rod (36), the expansion bodies (50, 70) engage an interior of an outer tube (12) of the set of telescoping tubes (12, 16), the expansion bodies (50, 70) having smaller diameter ends engaged with the clamping part (60); the clamping part (60) being radially expandable under action of the two expansion bodies (50, 70) being brought together; greater diameter ends of the two expansion bodies (50, 70) are each dimensioned to frictionally engage an inner surface which by turning the inner tub (16) relative to the outer tube (12) causes the expansion bodies (50, 70) to move along the respective one of the threaded rod (36) to each approach the other to widen the clamping part (60) radially, over a length of the clamping part (60). Hinnners does not disclose that the threaded rod has two sections with opposing threads are adjustable relative to the clamping part; wherein one of the threaded section has a greater diameter than other one of the threaded sections. Hall teaches two conical expansion body (12, 13, Figs. 1-2, page 2, lines 34-41) having a threaded hole (22), a threaded rod (25) having two threaded sections (T, T'), wherein the two threaded sections (T, T') having opposing threads (page 2, lines 51-54), wherein the threaded section (T) has a greater diameter than the threaded section (T') and when the threaded rod (25) is turned the wedges (12, 13) are moved toward or away from each other simultaneously depending on the direction of rotation of the threaded rod (25). It would have been obvious to one of ordinary skill in the art at the time of invention was made to provide the threaded part of Hinnners with a threaded part having two oppositely threaded sections with one of the threaded sections has a larger diameter than an oppositely threaded of a second section as taught by Hall in order to move the expansion bodies toward or away from each other simultaneously depending on the direction of rotation of the threaded rod.



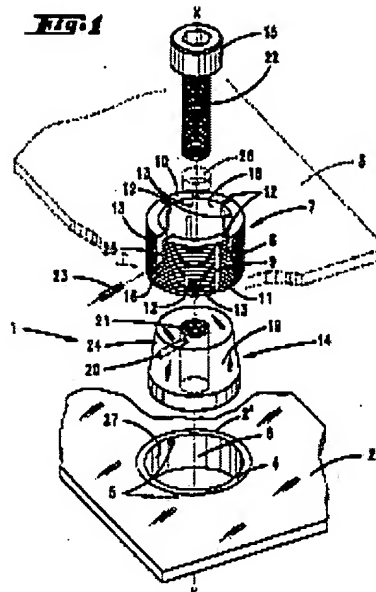
With respect to claim 19, Hinners discloses (**Fig. 2**) that the expansion bodies (**50, 70**) having greater diameter ends are made to increase friction relative to the material of the outer tube (**12**).

With respect to claims 22, 24, and 25, Hinners and Hall disclose a combination of the clamping device as stated above in claims 13 and 23 with an inner tube (16) and an outer tube (12), wherein the threaded part (36) inserted into the inner tube (16) and the outer tube (12).

With respect to claim 26, Hinnners discloses the claimed invention except that a threaded of a first of the two threaded sections has a larger diameter than an oppositely threaded thread of a second of the two threaded sections. Hall teaches (Fig. 2) that the device having a thread (T) of a first of the two threaded sections has a larger diameter than an oppositely threaded (T') of a second of the two threaded sections. It would have been obvious to one of ordinary skill in the art at the time of invention was made to provide the threaded part of Hinnners with a threaded part having two oppositely threaded sections with one of the threaded sections has a larger diameter than an oppositely threaded of a second section as taught by Hall in order to move the expansion bodies toward or away from each other simultaneously depending on the direction of rotation of the threaded rod.

**Claims 15, 17, 20, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hinnners and Hall as applied to claims 13, 14, 18, 19, and 22-26 above, and further in view of 6,712,544 B2 Kruger et al.**

With respect to claim 15, Hinnners and Hall disclose the claimed invention except that the hollow cylinder of the clamping part has recesses which proceed from its two ends; and wherein the recesses are offset by 90 degrees to one another on the ends of the hollow cylinder. Kruger et al. teach a cylindrical clamping part (7, Fig. 1) having recesses (12) which proceeds from its tow ends; wherein the recesses (12) are offset by 90 degrees to one another on the ends of the hollow cylinder (7). It would have been obvious to one of ordinary skill in the art at the time of invention was made to the ends of the clamping part of Hinnners with recesses which are offset by 90 degrees as taught by Kruger et al. in order to expand the region between the slots outwardly when the expansion bodies pressed into the clamping part and prevent clamping part from brakeage.



### *Response to Arguments*

Applicant's arguments with respect to claims 13-15 and 17-26 have been considered but are moot in view of the new ground(s) of rejection.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The prior art of record US Patent No. 6,357,960 B1 Cornelius et al.; US Patent No. 5,419,650 Hoshino; 3,817,580 Wilson et al.; US Patent No. 6,971,825 B2 Stojanovski; and US Patent No. 2,999,706 Wilcox; are cited to show two conical expansion bodies connected by a threaded rod.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action, e.g., claim 13, lines 5-10, the limitation of **“a threaded part (7) comprising a threaded rod (11) configured for attachment to an inner tube (3) of a set of telescoping tubes (3, 5), the threaded rod (11) comprising two threaded sections (13, 15), the two threaded sections having opposing threads”**, was not claimed in original claimed invention.

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Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nahid Amiri whose telephone number is (571) 272-8113. The examiner can normally be reached on 8:30-5:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Nahid Amiri  
Examiner  
Art Unit 3679  
February 28, 2007



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